

REMARKS

The rejections presented in the Office Action dated February 17, 2006, have been considered. Claims 1-7, 9-28, 30, 33-35 and 37-41 are pending in the application. Reconsideration and allowance of the application are respectfully requested.

The Office Action fails to show that Claims 1-7, 9-28, 30, 33-35 and 37-41 are anticipated under 35 USC §102(e) by "Bailey" (US patent 6,701,513 to Bailey). The rejection is respectfully traversed because the Office Action fails to show that all the limitations of the claims are taught by Bailey.

Independent Claim 1 includes limitations of, in a data file of implementation instructions for elements of a computer program, a first directive that directs implementation for a variable in the program code in a register. The cited elements of Bailey appear to have no relevance to directives for implementation of elements of program code. Nor do the cited elements appear to have any relevance to directives for implementation of a variable in a register. The Office Action cites Bailey's data flow diagram 1402 as containing elements that correspond to these limitations. However, those skilled in the art will recognize that Bailey's data flow diagram reflects the data flow of a program. Bailey's data flow diagram does not direct implementation of elements of program code. Furthermore, the cited element 1428 is described as:

text box symbol 1428 having a data output terminal 1430, and a variable symbol 1432 having data input, control input, data output, error output and control output terminals 1434a-e. A Variable symbol, such as symbol 1432, is typically used to read a new value on its data input terminal 1434a and, upon triggering of its ControlIn property (provided its control input terminal is wired) to pass that value to its data output terminal 1434c and issue a DataReady event. Thus, variable objects can save a data value for later use by the application program. (col. 33, l. 19-29).

Thus, there is no apparent indication that directs how the variable is to be implemented, nor is there any apparent suggestion of implementing the variable in a register.

Claim 1 further includes the limitations that a second directive in the data file directs implementation of a call to a function as in-line code. The Office Action fails to show that Bailey teaches these limitations. The cited portion of Bailey teaches:

Each control component or program object instantiated from a corresponding class represented by an icon on toolbox 402 and/or toolbar 414 has pre-defined properties, methods and events. In addition, each program object typically performs some useful function, such as a Boolean operation (e.g., AND, OR, etc.), a mathematical operation, a data acquisition operation (typically from some transducer coupled to the I/O circuitry 218 of the computer 200), renders some comparison (e.g., less than, greater than, equal to, etc.), and so on. (col. 8, l. 27-35).

These teachings contain no apparent directives that specify how a function call is to be implemented. The cited teachings describe that a program object has predefined methods and may perform a function such as a Boolean operation. It is not apparent how these teachings could reasonably be construed as corresponding to a directive that specifies that a call to a function is to be implemented as in-line code when there is no mention of in-line code and there no mention of any particular directed implementation of a call to a function. Therefore, these limitations are not shown to be taught by Bailey.

Claims 10, 17, 22, and 33 include limitations similar to those of Claim 1, and the Office Action fails to show that these claims are anticipated by Bailey for at least the reasons set forth above.

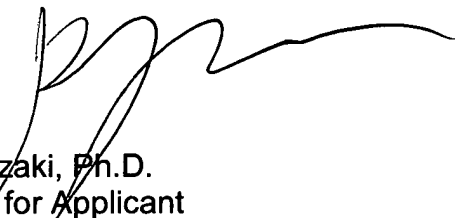
Claims 2-7, 9, 11-16, 18-21, 34-28, 30, 34-35 and 37-41 depend from independent Claims 1, 10, 17, 22, and 33, and are not shown to be anticipated for at least the reasons set forth above.

The rejection of Claims 1-7, 9-28, 30, 33-35 and 37-41 should be withdrawn because the Office Action does not show that Bailey teaches all the limitations of the claims.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the Amendments and Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

Respectfully submitted,



Kim Kanzaki, Ph.D.
Attorney for Applicant
Reg. No. 37,652

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on May 10, 2006.

Pat Tompkins
Name


Signature